

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
UMG RECORDINGS, INC. ET AL,

Plaintiffs,

-against-

UNCHARTED LABS, INC. ET AL,

Defendants.
----- X

**CLARIFICATION OF ORDER
GRANTING MOTION TO
COMPEL**

24 Civ. 4777 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:


I previously granted Defendants' motion to compel the production of the deposit copies of the Asserted Works, ECF No. 89. Plaintiffs now seek clarification of what they are required to produce under that Order.

The best evidence rule that limits admissibility to only the original copy is not feasible here because the original copy is that filed with the United States Copyright Office. Where an original cannot be found, the Federal Rules of Evidence allow for the admission of a duplicate. Fed. R. Evid. 1003; *see also Chicoineau v. Bonnier Corp.*, No. 18-cv-3264 (JSR), 2018 WL 6039387, at *2 (S.D.N.Y. Oct. 16, 2018).

Plaintiffs' obligation is to produce the truest copy in their possession, whether analog or digital, along with a representation establishing that those copies are identical to the deposit copies submitted for registration with the United States Copyright Office and identifying when the copy produced was made and from what source. The Clerk is directed to terminate the open motion, ECF No. 91.

SO ORDERED.

Dated: May 1, 2025
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge